

Serial No. 10/696,746  
Attorney Docket No. RANPP0346USA

### Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

#### *Election/Restriction*

The previous Office Action included a restriction requirement, and the claims of Group I were elected. The Examiner is now examining claims 1-17 and 29-34.

Upon further review, it appears that claim 18 includes a typographical error, and in fact should depend, and has been amended to depend, from claim 10. Claims 19-28 depend from claim 18. Thus claim 10 is generic to claims 18-28. Since claim 10 has been examined as part of Group I, rejoinder and examination of claims 18-28 is respectfully requested.

#### *Claim Rejections - 35 USC § 102 and § 103*

I. Claims 10-14, 16 and 29 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,387,173 to Simmons Jr. ("Simmons '173"). The Examiner has taken the position that Simmons '173 discloses palletizing boxes of fan-folded stock material for conversion.

Granted, Simmons '173 does disclose that a box of stock material may be palletized for storage and/or transportation requirements.

Additionally, the box 20 may be palletized for storage and/or transportation requirements and the box may be dimensioned so that it is U.P.S. shippable.

Simmons '173, col. 5, lines 18-22 (cited in Office Action, Paper No./Mail Date 062205, p. 3).

Claim 10, however, generally includes a dunnage converter for converting sheet stock material into a dunnage product and two or more stacks of fan-folded sheet stock material horizontally or vertically disposed relative to one another that are positioned proximate the dunnage converter for conversion into a dunnage product.

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Simmons '173 does not disclose positioning two or more stacks of fan-folded sheet stock material proximate a dunnage converter for conversion into a dunnage product. Accordingly, Simmons '173 does not anticipate claim 10. Withdrawal of the rejection is requested.

II. Claims 1-5, 8-16 and 29-32 have been rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,823,936 to Ratzel ("Ratzel"). In particular, the Examiner seems to have taken the position that since Simmons '173 (referenced in Ratzel) discloses palletizing a stack of stock material, it would have been obvious to position two or more stacks of stock material proximate a converter before feeding them to the converter sequentially. The claims cannot be anticipated by Ratzel because Ratzel does not disclose positioning two or more stacks of fan-folded sheet stock material proximate a dunnage converter.

As noted above, claim 10 generally includes a dunnage converter for converting sheet stock material into a dunnage product and two or more stacks of fan-folded sheet stock material horizontally or vertically disposed relative to one another that are positioned proximate the dunnage converter for conversion into a dunnage product. Claim 1 generally is directed to a method comprising the steps of positioning two or more stacks of fan-folded sheet stock material proximate a converter and feeding the sheet material from the stacks of fan-folded sheet stock material either sequentially or simultaneously to the converter for conversion into a dunnage product.

Admittedly, Ratzel discloses the use of a cart for positioning a supply of stock material relative to a conversion machine. But no teaching or suggestion has been found in either Simmons '173 or Ratzel of supplying multiple stacks of sheet stock material to a dunnage converter for conversion or of feeding stock material from multiple stacks to a converter. Withdrawal of the rejection is respectfully requested.

III. Claim 17 has been rejected under 35 U.S.C § 103(a) as being unpatentable over Simmons '173. The Examiner acknowledged that Simmons '173 does not disclose a movable transverse member, but has taken the position that it would have been obvious to provide such a movable member because adjustability only requires routine skill in the art. (Office Action, Paper No./Mail Date 062205, p. 4.)

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While admitting that a skilled person could provide an adjustable member, the rejection is improper because Simmons '173 does not provide a reason for the skilled person to provide an adjustable member. In FIG. 1 of Simmons '173 a box 20 of fan-folded stock material is positioned next to the conversion machine without any apparent need for an adjustable member. Without some suggestion in the prior art, it is respectfully submitted that a selectively movable transverse support member would not have been obvious in view of the teachings of Simmons '173. Withdrawal of the rejection is requested.

IV. Claims 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratzel in view of U.S. Patent No. 6,756,096 to Harding ("Harding"). The Examiner has taken the position that although Ratzel does not disclose loading a supply of stock material on a support without interrupting a dunnage converter, since Harding teaches splicing fan-folded stock material that means multiple stacks are simultaneously conveyed to the converter after the splicing operation without interruption. (Office Action, Paper No./Mail Date 062205, p. 5.)

But Harding appears to disclose splicing a leading end of a new supply of stock material to a trailing end of an almost-spent supply of stock material so that the stock material will be fed into the conversion machine sequentially rather than simultaneously.

Moreover, no disclosure has been found in Harding that suggests that the splicing operation would necessarily prevent down time for the machine. Referring to Harding, specifically col. 8, lines 11-44, Harding's conversion machine includes a splicing plate on which the stock material is held for splicing using clamps, for example. This means that the conversion machine must be stopped so that the stock material can be spliced. This passage also refers to an end-of-web detector, which can be used to automatically stop the conversion machine when the stock material is no longer detected by the detector. In other words, when the ends of all the plies have passed the detector, the detector provides a signal to stop the converter. The converter is stopped to splice a new supply of stock material to the trailing ends of the old supply of stock material before those trailing ends can be pulled into the conversion machine. It is this problem of the trailing ends of the stock material entering the conversion machine that led to the development of splicing in the first place.

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In contrast to the Examiner's position, no teaching or suggestion has been found in Harding for how a new supply of stock material can be spliced to an old supply of stock material without stopping the conversion machine.

The undersigned also notes that FIG. 3, cited by the Examiner, does show a multi-ply fan-folded stock material. The stock material is folded to form a single stack. Thus Harding does not disclose simultaneously feeding multiple plies of fan-folded sheet stock material into a converter from multiple stacks.

Withdrawal of the rejection is respectfully requested.

V. Claims 33 and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratzel and further in view of U.S. Patent No. 6,095,454 to Simmons Jr. et al. ("Simmons '454"). In particular, the Examiner has taken the position that Simmons '454 discloses a cart upon which it would have been obvious to include multiple stacks of fan-folded stock material for supplying multiple stacks to a conversion machine.

Simmons '454 however, does not disclose loading a conversion machine with stock material from a plurality of stacks of stock material either sequentially connected together or simultaneously. In Simmons '454 a stock roll storage rack positioned adjacent a conversion machine supports a plurality of stock rolls. A spindle 99 is placed through a leading stock roll 21 and the stock roll is then pushed off the storage rack and onto the stock roll holder 19 for conversion by the conversion machine into a cushioning pad. Thus a single stock roll is used at a time. The remaining rolls are rolled toward the conversion machine for use as a preceding roll is used up.

One of the advantages Simmons's storage rack provides is the ability to enable a single operator to easily load the machine by rolling the next stock roll into place. This advantage would not exist if stacks of stock material replaced the rolls. The stock rolls are cylindrical and easily roll, yet their weight makes it difficult for a single operator to lift a roll to an operating position. A stack of stock material, as shown in Ratzel, appears to have a rectangular shape and thus could not be easily rolled into position.

In the absence of the disclosure in the present application, no teaching or suggestion for placing stacks of fan-folded sheet stock material on a cart has been

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found in the applied art. Since the applied references do not appear to provide such a motivation, withdrawal of the rejection is respectfully requested.

**Conclusion**

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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**CERTIFICATE OF FACSIMILE TRANSMITTAL**

[x] I hereby certify that this paper, and any documents referred to as attached or enclosed, is being facsimile transmitted to the Patent and Trademark Office (fax no. 571-273-8300) on the date shown below.

Date: September 28, 2005

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